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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/895,466  | 06/29/2001  | Robin Budd           | EMC-00-066          | 6561             |
| 24227   | 7590        | 12/16/2008           | EXAMINER            |                  |
| EMC CORPORATION<br>OFFICE OF THE GENERAL COUNSEL<br>176 SOUTH STREET<br>HOPKINTON, MA 01748 |             |                      | PARK, ILWOO         |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2182                |                  |
|   |             |                      | MAIL DATE           | DELIVERY MODE    |
|   |             |                      | 12/16/2008          | PAPER            |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                          |                                      |                                    |  |
|--------------------------|--------------------------------------|------------------------------------|--|
| <b>Interview Summary</b> | <b>Application No.</b><br>09/895,466 | <b>Applicant(s)</b><br>BUDD ET AL. |  |
|                          | <b>Examiner</b><br>ILWOO PARK        | <b>Art Unit</b><br>2182            |  |

All participants (applicant, applicant's representative, PTO personnel):

- (1) ILWOO PARK. (3) \_\_\_\_.
- (2) Joseph D'Angelo. (4) \_\_\_\_.

Date of Interview: 12 December 2008.

Type: a)  Telephonic b)  Video Conference  
c)  Personal [copy given to: 1)  applicant 2)  applicant's representative]

Exhibit shown or demonstration conducted: d)  Yes e)  No.  
If Yes, brief description: \_\_\_\_.

Claim(s) discussed: 1.

Identification of prior art discussed: Ohran (# 5,813,748).

Agreement with respect to the claims f)  was reached. g)  was not reached. h)  N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The 'determination of unavailability of the primary network' can still be read from Ohran because one computer sees the network unavailability when the other computer was down regardless of the network medium condition. Further, Ohran should determine that the transmission packet is a write packet in order for the mirroring.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

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| /Ilwoo Park/<br>Primary Examiner, Art Unit 2182 |  |
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